



# IN THE SUPREME COURT OF ALABAMA

April 11, 2005

**1040954**

Ex parte Charles Smith. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Charles Smith v. State of Alabama) (Montgomery Circuit Court: CC02-920.60; Criminal Appeals : CR-04-0183).

## ORDER

IT IS ORDERED that the petition for writ of certiorari filed on April 7, 2005, is dismissed pursuant to Rule (2)(c), Alabama Rules of Appellate Procedure, as untimely filed.

I Robert G. Esdale, Sr., as Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing is a full, true and correct copy of the instrument(s) herewith set out as same appear(s) of record in said Court.

Witness my hand this 11th day of April 2005

*Robert G. Esdale, Sr.*  
Clerk, Supreme Court of Alabama

cc:

Charles Smith, Pro Se  
Hon. Troy R. King, Attorney General  
J. Thomas Leverette, Asst. Atty. Gen.

EXHIBIT M